

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ALFONSO LOPEZ GARCIA, FREDY
SALVADOR ALCARAZ MENDOZA,

Defendants.

4:14CR3025

MEMORANDUM AND ORDER

Defendant Garcia has moved to continue the pretrial motion deadline, (filing no. 37), because the defendant needs to consider and decide whether to enter a guilty plea before deciding whether to file pretrial motions. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Garcia's motion to continue, (filing no. 37), is granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before May 23, 2014.
- 3) **As to both defendants**, trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial. Accordingly, **as to both defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and May 23, 2014, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

April 28, 2014.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge